

DISTRICT COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. CROIX

GILBERT M. DEFREITAS,

Plaintiff,

v.

**HESS CORPORATION, HESS OIL VIRGIN
ISLANDS CORP., and LOCKHEED
MARTIN CORP.,**

Defendants.

1:20-cv-00045

**TO: J. Russell B. Pate, Esq.
Korey A. Nelson, Esq.
Warren T. Burns, Esq.
Robert J. Kuczynski, Esq.
Carl A. Beckstedt, III, Esq.
Kevin A. Rames, Esq.**

ORDER

Upon consideration of the Notice of Removal (ECF No. 1), Hess and HONYC's Answer to Complaint (ECF No. 16), and Lockheed Martin's Answer to Plaintiff's Complaint (ECF No. 17), it is now hereby **ORDERED**:

1. An Initial Scheduling Conference pursuant to Rule 16 of the Federal Rules of Civil Procedure is scheduled for **Monday, November 23, 2020, at 11:00 a.m. (AST)**, in **STX Courtroom 3**, before the undersigned U.S. Magistrate Judge. All counsel shall appear **in person** for the scheduling conference and be familiar with the case.

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2. The parties shall exchange Initial Disclosures pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedures on or before **October 22, 2020**.
3. As soon as practicable following the exchange of Initial Disclosures, but no later than **November 5, 2020**, the parties shall confer pursuant to Rule 26(f)(1) and (2) of the Federal Rules of Civil Procedure.
4. The parties shall file with the Court a Joint Discovery Plan, pursuant to Rule 26(f)(3) of the Federal Rules of Civil Procedure, on or before **November 19, 2020**.
5. In addition to the requirements set forth in Rule 26(f)(3) of the Federal Rules of Civil Procedure, the parties' Joint Discovery Plan also must include:
 - a. a brief statement of the facts underlying the claims and defenses in the action and the legal issues in the case;
 - b. proposed deadlines for: the joinder of additional parties; amendments to the pleadings; the first mediation conference pursuant to LRCi 3.2; the completion of factual discovery; the exchange of expert reports and the completion of expert depositions;
 - c. an explanation of the time needed to complete discovery, including the type and amount of discovery anticipated;
 - d. a statement regarding the need for expert testimony, including the number of experts and subject areas anticipated;

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- e. whether the parties believe that the case may be susceptible to resolution through mediation;
 - f. whether the parties believe the case, or any portion thereof, is susceptible to resolution by dispositive motion;
 - g. an estimate of the trial time needed; and,
 - h. any other issues that the parties deem relevant or helpful in considering and establishing the Scheduling Order, **including agreements regarding the preservation and production of ESI and, under Federal Rule of Evidence 502, regarding the disclosure of privileged information or work product, as well as a protocol for requesting an informal conference with the Court prior to bringing discovery motions.**
6. Any areas of disagreement among the parties in the areas covered by the Joint Discovery Plan shall be identified and the respective positions of the parties described.

ENTER:

Dated: October 1, 2020

/s/ George W. Cannon, Jr.

GEORGE W. CANNON, JR.

U.S. MAGISTRATE JUDGE